

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

TERRENCE RAYMONE WHITE,)
)
 Petitioner,)
)
v.)
)
GLEN JOHNSON, Warden,)
)
 Respondent.)

Case No. CV416-025

CLERK
S.D. DIST. OF GA.

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U.S. DISTRICT COURT
SAVANNAH DIV.

ORDER

Terrence Raymone White challenges his state-court conviction and sentence, under 28 U.S.C. § 2254. Doc. 1. Though he is incarcerated in this district, he in fact was convicted in DeKalb County, Georgia. Doc. 11-1 at 1; *White v. State*, 283 Ga. 566, 566 n. 1, 662 S.E.2d 131 (2008). White evidently filed in this judicial district because he is incarcerated here, 28 U.S.C. § 90(c)(2), but DeKalb County lies within the Northern District of Georgia, 28 U.S.C. § 90(a)(2). Federal law allows White to file his petition in the district where he was convicted or in the district where he is confined, 28 U.S.C. § 2241(d); *Wright v. Indiana*, 263 F. App'x 794, 795 (11th Cir. 2008), which means this Court and the United States

District Court for the Northern District of Georgia concurrently have jurisdiction to hear his case. But it is longstanding judicial policy to funnel such petitions to the district where the petitioner was convicted, since that will be the most convenient forum. *Mitchell v. Henderson*, 432 F.2d 435, 436 (5th Cir. 1970); *see Wright*, 263 F. App'x at 795. That policy also fosters an equitable distribution of habeas cases between the districts.

Accordingly, the Court **DIRECTS** the Clerk to transfer this case to the United States District Court for the Northern District of Georgia for all further proceedings. *See* 28 U.S.C. § 2241(d) (giving district court discretion to transfer case where two district courts have concurrent jurisdiction).

SO ORDERED, this 31st day of October, 2016.


UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA